
From: Steven Layman
Sent: 30/09/2022 6:27:11 PM
To: Council Northernbeaches Mailbox
Cc: skyxie
Subject: TRIMMED: DA2022/0935 - Amended Plans --- 31 Jocelyn St, Curl Curl

Attention Dean Pattalis, Planner

Steven Layman Consulting Pty Limited makes this submission on behalf of Fang Xie, owner and resident of 33 Jocelyn St, Curl Curl which is situated immediately to the west of the subject site. Our client received notice of the amended DA on 15 September 2022, and so has had limited time to prepare a thorough response. In order to respond in some fashion by the formal submissions closure date we make this brief submission listing our preliminary concerns. We propose to make a more detailed submission within the next week. We trust that this is acceptable to Council. Please advise if this is not the case.

Our preliminary concerns are:

- Building height – It is not conclusive that the building height is accurately represented. Nevertheless we agree that a 4.6 variation request is required;
- Inadequacy of the clause 4.6 variation request – the request provides case law guidance for “environmental planning grounds” set out in *Initial Action Pty Limited vs Woollahra Municipal Council* [2018] NSWLEC 118 (*Initial Action*), but then does not follow that guidance. Contrary to *Initial Action* the clause 4.6 variation request refers to the benefits of the development as a whole and not the particular benefits of the variation of the development standard in question;
- Solar access for living and dining area – the proposal will greatly affect the east side windows of the entry level ground floor living and dining areas;
- View impact – the proposal is likely to affect water views from sitting and standing positions in living and dining areas
- Erection of height poles – to put the matter of view impact beyond any doubt we request the erection of height poles to demonstrate the extents of the proposed upper level addition. These poles should be certified by a registered surveyor. We think that this would be in the interests of all parties, so that an accurate and proper assessment of view impacts can be made.

Regards,

Steven Layman

Registered Architect & Town Planner